

# EXHIBIT B

BOSTON POLICE  
INCIDENT REPORTORIGINAL ☒ SUPPLEMENTARY ☐

KEY SITUATIONS OTHERS		COMPLAINT NO 040104456		REPORT DIST. B2		CLEARANCE DIST	
TYPE OF INCIDENT A D/W		CRIME CODE 0		STATUS		DATE OF OCCUR. A.03/01/04	
LOCATION OF INCIDENT 25 WAYNE ST		APT. 9		DISPATCH TIME 04:18 AM		TIME OF OCCUR. A.04:15 AM	
VICTIM-COMP. (LAST, FIRST, MI) KNOWN TO COMMONWEALTH		PHONE		SEX		RACE	
ADDRESS		APT.		OCCUPATION		AGE 0	
PERSON REPORTING PO BRIAN SMIGIELSKI		ADDRESS 135 DUDLEY STREET,ROXBURY,MA,02119-0000		APT. B-2		PHONE (617)-343-4270	
WAS THERE A WITNESS TO THE CRIME							
PERSON INTERVIEWED		AGE		LOCATION OF INTERVIEW		APT.	
SANTIAGO,JACQUELINE		0		DISTRICT STATION		52 BROOK AVE,DORCHESTER,MA,02124-0000	
HOME ADDRESS		APT.		TELEPHONE		RES <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
						BUS <input type="checkbox"/>	
NUMBER OF PERPETRATORS: 1 --- CAN SUSPECT BE IDENTIFIED AT THIS TIME							
STATUS ARRESTED		NAME (LAST, FIRST, MI) ROWELL,SHON		S.S. NO. 031-56-8706		BOOKING NO. 20040063102	
WARRANT NO.		ADDRESS 74 HOPE ST,MATTAPAN,MA,02126-0000		SEX MALE		RACE BLACK NON-HISPANIC	
SPECIAL CHARACTERISTICS(INCLUDING CLOTHING)		WEIGHT 117		BUILD SLIM		HAIR BLACK	
						EYES BROWN	
CAN SUSPECT VEHICLE BE DESCRIBED							
STATUS		REG. STATE		REG. NO.		PLATE TYPE	
VEHICLE MAKE YEAR		VEHICLE NO.		STYLE		COLOR(TOP-BOTTOM)	
OPERATOR'S NAME		LICENSE NO.		STATE		OPERATOR'S ADDRESS	
OWNER'S NAME		OWNER'S ADDRESS					
CAN PROPERTY BE IDENTIFIED							
STATUS		TYPE OF PROPERTY		SERIAL OR I-DENTI-GUARD NO.		BRAND NAME-DESCRIPTION	
PROPERTY						MODEL	
						VALUE	
						UCR <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IS THERE A SIGNIFICANT M.O.							
TYPE OF WEAPON-TOOL HANDGUN		NEIGHBORHOOD COMMERCIAL & RESIDENTIAL		TYPE OF BUILDING RESIDENTIAL APT		PLACE OF ENTRY N/A	
WEATHER CLEAR		LIGHTING ARTIFICIAL		TRANSPORTATION OF SUSPECT FOOT		VICTIM'S ACTIVITY KNOCKING ON DOOR	
UNUSUAL ACTIONS AND STATEMENTS OF PERPETRATOR						RELATIONSHIP TO VICTIM UNKNOWN	
IS THERE ANY PHYSICAL EVIDENCE (DESCRIPTION AND DISPOSITION IN NARRATIVE)							
IS THERE ANY OTHER REASON FOR INVESTIGATION (REASON BELOW)							
BLOCK NARRATIVE AND ADDITIONAL INFORMATION							
NO. ABOUT 4:18AM, MONDAY MARCH 1, 2004 OFFICERS SMIGIELSKI AND FARRELL IN THE BK02A UNIT ALONG WITH THE B432A UNIT RESPONDED TO A RADIO CALL FOR A PERSON WITH A GUN AT 25 WAYNE STREET APARTMENT #9. ON ARRIVAL, OFFICERS SPOKE TO THE VICTIM WHO STATED THAT HE WENT TO 25 WAYNE STREET, APARTMENT #9 IN AN ATTEMPT TO LOCATE HIS EX-GIRLFRIEND LATER IDENTIFIED AS KIET "BUTTER" LARKINS. VICTIM STATED THAT HE KNOCKED ON THE DOOR AND CALLED HER NAME. VICTIM FURTHER STATED THAT SUSPECT, KNOWN TO THE VICTIM AS "ROB", OPENED THE DOOR AND INFORMED HIM HIS GIRLFRIEND WAS NOT THERE. AT THAT TIME, SUSPECT (LATER IDENTIFIED AS SUSPECT ROWELL) PRODUCED A BLACK HANDGUN, POINTED IT AT THE SUSPECT AND TOLD HIM TO "GET THE FUCK OUT OF HERE". VICTIM FLED THE APARTMENT BUILDING AND CALLED 911. VICTIM FURTHER STATED TO OFFICERS THAT SUSPECT WAS STILL IN APARTMENT #9. OFFICERS IMMEDIATELY WENT TO APARTMENT #9 INSIDE 25 WAYNE STREET, KNOCKED ON THE DOOR AND ANNOUNCED THEIR OFFICE. AN UNKNOWN MALE INFORMED OFFICERS THAT HE DID NOT LIVE THERE AND WOULD NOT OPEN THE DOOR. OFFICERS, ALONG WITH THE B911 SERGEANT FRANGIE CONTINUED TO PERSUADE THE UNKNOWN MALE TO OPEN THE DOOR. NUMEROUS OTHER B-2 UNITS RESPONDED AND SET UP A PERIMETER. THE UNKNOWN BLACK MALE CONTINUED TO YELL AT OFFICERS REFUSING TO OPEN THE DOOR. SERGEANT FRANGIE, UNAWARE OF THE SITUATION INSIDE THE APARTMENT NOTIFIED OPERATIONS TO CONTACT THE BOSTON POLICE ENTRY TEAM. AS OFFICERS SECURED THE PERIMETER OF THE BUILDING AWAITING FURTHER INSTRUCTIONS, SUSPECT #1 ROWELL EXITED FROM APARTMENT #9 AND CONFRONTED THE B433A UNIT (MCNEIL) AND B416A UNIT (ONEIL). AT THAT TIME, A VIOLENT STRUGGLED ENSUED AS BOTH OFFICERS AS WELL AS THE SUSPECT FELL DOWN THE STAIRS. SUSPECT CONTINUED TO STRUGGLE WITH OFFICERS IN AN ATTEMPT TO ESCAPE UNTIL FINALLY SUBDUED AND RESTRAINED. OFFICER SMIGIELSKI							

IMMEDIATELY ENTERED APARTMENT #9 AND PERFORMED A PROTECTIVE SWEEP AND OBSERVED ONE BLACK FEMALE, LATER IDENTIFIED AS WITNESS #1 SANTIAGO. PER SERGEANT FRANGIE, THE SCENE WAS TO BE SECURED PENDING THE ACQUISITION OF A SEARCH WARRANT. THE B980 SERGEANT GALLAGHER WAS NOTIFIED AND RESPONDED TO THE SCENE. WITNESS INFORMED OFFICERS THAT THE RIGHTFUL TENANTS TO THE APARTMENT WERE NOT HOME AT THE TIME. WITNESS STATED THAT KIET "BUTTER" LARKINS (3/5/72), HER COUSIN, WAS A TENANT AS WELL AS MICHELLE KENNEDY (1/14/71). WITNESS SANTIAGO STATED THAT LARKINS HAD GONE TO "GET A PACK OF CIGARETTES" AND KENNEDY WAS "IN A HOSPITAL". BOTH THE VICTIM, AND WITNESS SANTIAGO WERE TRANSPORTED TO AREA B-2 FOR FURTHER INVESTIGATION. SUSPECT ROWELL WAS TRANSPORTED TO AREA B-2. VICTIM, KNOWN TO THE COMMONWEALTH POSITIVELY IDENTIFIED SUSPECT ROWELL AS THE PERSON THAT DID POINT A FIREARM AT HIM. SUSPECT ROWELL WAS SUBSEQUENTLY CHARGED WITH ASSAULT BY MEANS OF A DANGEROUS WEAPON TO WIT FIREARM. THIS MATTER IS UNDER INVESTIGATION.

UNIT ASSIGNED BK02A	TOUR OF DUTY 1	REPORTING OFFICER'S NAME BRIAN M SMIGIELSKI	REPORTING OFFICER'S SIGNATURE	REPORTING OFFICER'S ID 11530	PARTNER'S ID 11522	FI NO
DATE OF REPORT 03/01/04	SPECIAL UNITS NOTIFIED(REPORTING) AREA B-2					TELETYPE NO.
TIME COMPLETED 08:02 AM	PATROL SUPERVISOR NAME	PAT. SUP. ID	DUTY SUP. NAME COLM P LYDON	DUTY SUP. SIGNATURE	DUTY. SUP. ID 8871	